

1 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP
A Limited Liability Partnership
2 Including Professional Corporations
P. CRAIG CARDON, Cal. Bar No. 168646
3 ccardon@sheppardmullin.com
BRIAN BLACKMAN, Cal. Bar No. 196996
4 bblackman@sheppardmullin.com
ELIZABETH S. BERMAN, Cal. Bar No. 252377
5 eberman@sheppardmullin.com
4 Embarcadero Center, 17th Floor
6 San Francisco, California 94111-4109
Telephone: 415.434.9100
7 Facsimile: 415.434.3947

8 Attorneys for Defendant
LUCKY BRAND DUNGAREES, INC.

10 SEAN REIS (SBN 184004)
sreis@edelson.com
11 EDELSON MCGUIRE, LLP
12 30021 Tomas Street, Suite 300
Rancho Santa Margarita, California 92688
13 Telephone: (949) 459-2124
14 Facsimile: (949) 459-2123

15 Attorney for Plaintiff JUVENAL ROBLES

16
17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA

19 JUVENAL ROBLES,

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21 Plaintiff,

22 v.

23 LUCKY BRAND DUNGAREES, INC.,

24
25 Defendant.
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Case No. 10-cv-04846 JF (HRL)

**STIPULATION AND [PROPOSED]
ORDER CONTINUING THE CASE
MANAGEMENT CONFERENCE**

Date: April 15, 2011

Time: 10:30

Place: Courtroom 3, 5th Floor

The Honorable Jeremy Fogel

1 Plaintiff Juvenal Robles and Defendant Lucky Brand Dungarees, Inc. ("Lucky
2 Brand"), by and through their counsel, stipulate:

3 1. Plaintiff filed his Class Action Complaint on October 26, 2010, alleging
4 defendant Lucky Brand violated the Telephone Consumer Protection Act, 47 U.S.C. § 227,
5 by sending an unsolicited text message to plaintiff's cellular telephone in the summer of
6 2008. (Dkt. No. 1.)

7 2. Lucky Brand answered the complaint on January 10, 2011, alleging, among
8 other things, various defenses that included issues involving consent, authorization, and
9 other elements of plaintiff's statutory claims. (Dkt. No. 15.)

10 3. On January 21, 2011, the Court held a case scheduling conference and ordered
11 the parties to participate in a settlement conference before Magistrate Judge Lloyd and to
12 return and report the result of that conference to the Court on March 4, 2011. (*See* Dkt. No.
13 18.)

14 4. On February 24, 2011, the Court granted the parties' Stipulation to continue
15 the March 4, 2011 status hearing so discovery related to third parties potentially involved in
16 the text message promotional campaign at issue in the Complaint could be evaluated and to
17 arrange the attendance of these third parties at the settlement conference. (Dkt. 24.)

18 5. On March 25, 2011, counsel for the parties secured the first date available on
19 Magistrate Judge Lloyd's calendar that was convenient for Plaintiff, Defendant, and the third
20 parties Lime Public Relations + Promotion, Merkle, Inc., and Take 5 Solutions, LLC, which
21 was April 29, 2011 at 9:30 a.m. (*See* Dkt. 29.)

22 6. The parties, therefore, respectfully request the Court continue the April 15th
23 Case Scheduling Conference to May 13, 2011 at 10:30 a.m. or to any date thereafter that is
24 convenient to the Court.

25 **IT IS SO STIPULATED.**
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1 Dated: April 8, 2011

2 SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

3
4 By /s/ Brian R. Blackman
5 CRAIG CARDON
6 BRIAN R. BLACKMAN
7 Attorneys for
Defendant LUCKY BRAND DUNGAREES, INC.

8 Dated: April 8, 2011

9 EDELSON MCGUIRE LLC

10 By /s/ Ryan D. Andrews
11 RYAN D. ANDREWS
12 SEAN REIS
13 Attorneys for
14 Plaintiff JUVENAL ROBLES
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CERTIFICATION

I, Brian Blackman, am the ECF User whose identification and password are being used to file this Stipulation And [Proposed] Order Continuing The Case Management Conference. In compliance with General Order 45.X.B., I hereby attest that Ryan D. Andrews has concurred in this filing.

Dated: April 8, 2011

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP


By /s/ Brian R. Blackman
BRIAN R. BLACKMAN
Attorneys for
Defendant LUCKY BRAND DUNGAREES, INC.

ORDER

Having considered the parties' stipulation and good cause appearing, the Court continues the Case Scheduling Conference to May 13, 2011 at 10:30 a.m.

IT IS SO ORDERED.

Dated: April 13, 2011


The Honorable Jeremy Fogel
United States District Judge